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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ROCHELLE M. VAN DER POEL,)
)
 Plaintiff,)
)
 vs.)
)
 STANDARD INSURANCE COMPANY, et)
 al.)
)
 Defendants.)
)

CASE NO. 3:20-cv-00601-LRH-WGC

**STIPULATION TO STAY
 DISCOVERY**

WHEREAS, on August 28, 2020, Plaintiff Rochelle Van Der Poel (“Plaintiff”) commenced this action against Defendant Standard Insurance Company (“Standard” and together with Plaintiff, the “Parties”) claiming Standard breached the insurance contract, breached the covenant of good faith and fair dealing and breached Nevada’s insurance laws when Standard terminated Plaintiff’s long-term disability (“LTD”) benefits;

WHEREAS, on October 23, 2020, Standard filed a notice of removal to Federal Court [Doc 1];

WHEREAS, on October 27, 2020, the Court entered an order on the parties’ stipulation to extend time for Standard to file an answer to the complaint [Doc 5];

WHEREAS, on November 25, 2020, Standard filed an answer to the Complaint [Doc 8];

WHEREAS, on December 21, 2020, the Parties filed a Stipulated Discovery Plan & Scheduling Order – Special Scheduling Review Requested [Doc 9];

WHEREAS, on December 22, 2020, the Court entered an Discovery Plan & Scheduling Order [Doc 10];

1 **WHEREAS**, on January 6, 2021, the Parties provided their initial disclosures pursuant to
2 Fed. R. Civ. Pro. 26;

3 **WHEREAS**, on January 22, 2021, Plaintiff propounded written discovery on Standard in
4 the form of requests for admissions, requests for production and interrogatories;

5 **WHEREAS**, in mid-February, 2021, the Parties began settlement discussions;

6 **WHEREAS**, the Parties remain in settlement discussions regarding the issues raised
7 herein, as well as applicability of Group Policy Amendment No. 2 Disabilities Subject to Limited
8 Pay Periods (“Limited Pay Period Provision”);

9 **WHEREAS**, while the Parties remain in settlement discussions, the Parties agree the
10 Parties’ positions regarding the applicability or inapplicability of the Limited Pay Period
11 Provision and/or the exception thereto would be aided and/or benefitted by a medical review,
12 medical examinations and/or medical assistance;

13 **WHEREAS**, the Parties agree that staying this matter and adjourning the discovery
14 deadlines contained in the Scheduling Order is in their best interests and furthers the goal of
15 judicial economy.

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STIPULATION

The Parties agree and stipulate to stay discovery in this litigation until **Thursday, July 8, 2021**, to ascertain the applicability or inapplicability of the Limited Pay Period Endorsement and/or the exception thereto and to continue settlement discussions.

The Parties agree and stipulate that if the Parties cannot reach a settlement within the three (3) month stay, they will have a conference on **Friday, July 9, 2021 at 10:00 am (pacific)** to discuss new discovery deadlines. The Parties agree and stipulate that they will file a joint case management report containing new discovery deadlines no later than **Friday, July 16, 2021**.

This is the **first** requested stay of discovery and the first requested extension of the discovery deadlines.

DATED this 8th day of April, 2021.

DATED this 8th day of April, 2021.

LEVERTY & ASSOCIATES LAW CHTD

**OGLETREE, DEAKINS, NASH, SMOAK
& STEWART, P.C.**

/S/ Patrick Leverty

/S/ Ann-Martha Andrews

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ORDER

IT IS SO ORDERED.

William G. Cobb

UNITED STATES MAGISTRATE JUDGE

DATED: April 9, 2021.